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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,014	09/29/2003	James Kevan Guy	7784-000654	2382
27572	7590	05/18/2005	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			PALMER, PHAN T H	
			ART UNIT	PAPER NUMBER
			2874	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/674,014

Applicant(s)

GUY, JAMES KEVAN

Examiner

PHAN T.H. PALMER

Art Unit

2874

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-11 is/are allowed.
- 6) ☒ Claim(s) 1, 12 and 17-20 is/are rejected.
- 7) ☒ Claim(s) 2-5 and 13-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*Phan T. H. Palmer*  
**PHAN T. H. PALMER**  
**PRIMARY EXAMINER**  
05/15/2005

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 05/17/2004.

- 4) ☐ Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Applicant's cooperation is requested in correcting any error of which applicant may become aware in the specification.

***Information Disclosure Statement***

2. The information disclosure statement submitted on 05/17/2004, has been considered by the examiner and made of record. See attached form PTO-1449.

***Drawings***

3. The drawings were received on 06/22/2004. These drawings are  
ACCEPTED.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 12, and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Mihich (4,953,932).

The Mihich reference discloses in figures 1, 2, and 4, an optical coupling apparatus (15) for optically coupling a first, rotationally moveable optical

component (14) with a second, non-rotating optical component (12) to enable an optical signal to be transmitted between said first and second optical components, said apparatus comprising:

- a first annular member (26) for supporting an outer most end of said first optical component in at least a partial circular arrangement;
- a second annular member (22) for supporting an outer most end of said second optical component in at least a partial circular arrangement, said first and second annular members being longitudinally aligned with one another along a longitudinal axis; and
- wherein a face portion of each of said annular members are placed in facing relationship to enable said first, rotationally moveable optical component to be optically coupled to said second non-rotating optical component without physical contact there between, since has air gap (72). See figures 1, 2, and 4, and abstract.

With regard to claims 1, 12, and 17-20, the Mihich reference discloses all the claimed invention.

***Allowable Subject Matter***

**5. Claims 2-5, and 13-16 are objected** to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Claims 6-11 are allowed.** The claims are allowable over prior art of record, because the Mihich reference does not disclose the an optical coupling apparatus comprising a motor having an output shaft operatively coupled to the first annular member for rotating the first annular member relative to the second annular member.

#### **CONTACT INFORMATION**

**6.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHAN T.H. PALMER whose telephone number is (571) 272-2354. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RODNEY B. BOVERNICK can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2874

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**PTHP**  
**05/15/2005**

*Phan T. H. Palmer*  
**PHAN T. H. PALMER**  
**PRIMARY EXAMINER**